IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

Bail Appl..No. 885 of 2007()

CRIME NO.679/06 OF PERINTHALMANNA POLICE STATION

PETITIONER/ACCUSED NO.1

JUBY THOMAS, AGED 24 YEARS,
S/O.THOMAS, VETTIKATTIL HOUSE,
PARAMBA P.O., KASARGODE.

BY ADV. SMT.A.P.LALY @ LALY VINCENT

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 885 OF 2007 A

Dated this the 19th day of February, 2007

O R D E R

Petitioner, who is the first accused in Crime No.679/2006 of Perinthalmanna Police Station for offences punishable under sections 363 and 395 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting inter alia that on 7.10.2006 at about 9 p.m. a person by name Basheer was forcely taken by the assailants (including the petitioner), who came in a Scorpio car and was robbed of cash worth Rs.1,52,500/- and that out of the 7 culprits, one alone has been arrested and all others are absconding.

4. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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